

Message

From: Martinson, Mathew [martinson.mathew@epa.gov]
Sent: 5/8/2020 8:55:24 PM
To: Contreras, Peter [Contreras.Peter@epa.gov]; Kenknight, Jeff [Kenknight.Jeff@epa.gov]
CC: Barber, Anthony [Barber.Anthony@epa.gov]
Subject: RE: Call Follow Up

Peter and Jeff - Thanks for the check on my impression. I looked at it more this evening. The bottom line is that the summary that Justin offers is not a "hold the presses" moment. It appears that he's not aware of how much we have already compiled and reviewed (and that's not a criticism, as he's not seen the petition and it's appendices).

If HQ is agreeable to the letter approach, my opinion is that the letter is good-to-go. Timing is everything and May 8 would be a good date to have on the top of the signed letter.

Mat

Mathew J. Martinson, P.E., BCEE
CAPT, USPHS
Chief, Permitting, Drinking Water and Infrastructure Branch
U.S. EPA, Region 10
Phone: 206-553-6334 (Direct)
Ex. 6 Personal Privacy (PP) (Cell)

From: Contreras, Peter <Contreras.Peter@epa.gov>
Sent: Thursday, May 7, 2020 3:09 PM
To: Martinson, Mathew <martinson.mathew@epa.gov>; Kenknight, Jeff <Kenknight.Jeff@epa.gov>
Cc: Barber, Anthony <Barber.Anthony@epa.gov>
Subject: RE: Call Follow Up

I agree with you, Matt. The PPA information seems like an overview, but could be a platform for further discussion once they receive our letter to see if DEQ could shape things more strategically regarding private wells.

Peter Contreras | Chief
Field, Data & Drinking Water Enforcement Section
Water Enforcement & Field Branch (20C-04)
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206 553 6708

From: Martinson, Mathew <martinson.mathew@epa.gov>
Sent: Thursday, May 07, 2020 2:47 PM
To: Kenknight, Jeff <Kenknight.Jeff@epa.gov>
Cc: Contreras, Peter <Contreras.Peter@epa.gov>; Barber, Anthony <Barber.Anthony@epa.gov>
Subject: RE: Call Follow Up

I just did a screen of the information about well water quality. It doesn't look like anything that we don't already have (e.g. mention of the synoptic sampling events, etc.). What is new is a more flushed out description of what they're doing under the PPA.

Mat

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Ex. 6 Personal Privacy (PP)

 (Cell)

From: Kenknight, Jeff <Kenknight.Jeff@epa.gov>
Sent: Thursday, May 7, 2020 2:45 PM
To: Contreras, Peter <Contreras.Peter@epa.gov>; Thurmon, Clarke <Thurmon.Clarke@epa.gov>; Barber, Anthony <Barber.Anthony@epa.gov>; Edmondson, Lucy <Edmondson.Lucy@epa.gov>
Cc: Martinson, Mathew <martinson.mathew@epa.gov>
Subject: FW: Call Follow Up

This just in...have not reviewed

From: GREEN Justin <Justin.B.Green@state.or.us>
Sent: Thursday, May 07, 2020 2:39 PM
To: Martinson, Mathew <martinson.mathew@epa.gov>; Kenknight, Jeff <Kenknight.Jeff@epa.gov>
Subject: RE: Call Follow Up

Mathew and Jeff –

As a follow up to our call of April 15, I am providing the following information:

1. List of wells with treatment
 - a. Of the 31 wells sampled quarterly, two locations have reverse osmosis systems as confirmed by the DEQ lab. The RO systems are usually only on the kitchen sink.
2. Number of wells in the sampling program
 - a. 31 wells quarterly
 - b. DEQ also conducts periodic synoptic sampling events. The goal of a synoptic sampling event is to provide a “point in time” snapshot of groundwater quality in one sampling effort or event and represent conditions as they exist simultaneously over a broad area and at a number of sites or facilities that are not normally or infrequently sampled. These may include WQ WPCF and On-site permitted facilities, CAFOs, recharge water or irrigation sites, Cleanup sites, normal GWMA quarterly monitoring sites, and other sampling locations. The first synoptic sampling event was conducted in 1992, and involved approximately 250 samples. Subsequent synoptic sampling events have been conducted in 2003, 2009, and 2015.
3. PPA obligations
 - a. Quarterly monitoring trend analysis of groundwater quality at 33 domestic and irrigation wells quarterly to evaluate impacts and effectiveness of Action Plan.
 - i. Currently meeting this obligation.
 - b. Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation in “outdoor schools” and farm fairs. Maintain GWMA website.
 - i. DEQ provides outreach and educational opportunities on the GWMA, in partnership with local stakeholders and ODA, OSU, OHA, OWRD, Morrow & Umatilla County SWCDs and City & County planning agencies primarily as part of the GWMA committee.
 1. This includes participating, facilitating, and reaching out to the public and school districts on outreach and education for multiple opportunities for involvement. Some of

these activities have been periodic in nature, while others are on-going and have occurred on an annual basis.

- c. DEQ provides on-going technical assistance to interested parties and information sharing through our website and the GWMA website, and the GWMA committee meetings are open to the public to attend. DEQ has information and links to information, including fact sheets on nitrate contamination, general information on groundwater quality protection, information on private wells protection, testing, and well water treatment, information on septic systems and groundwater contamination, and information on public drinking water.
- d. Annual educational events include Outdoor School to local school districts annually to help educate on groundwater and surface water and the difference between point sources and non-point sources of contamination, and how to minimize water pollution. Periodically DEQ participates in additional public outreach opportunities including Wal-Mart Safety Day, Farm Fair, BMP farm surveys, local gardening symposiums and information booths at local events.
- e. Our typical year involves talking to about 500 students and adults in Outdoor School.

In addition to the information above, we have compiled a list of actions taken by DEQ relevant to the LUBGWAMA, including relevant statutory citations.

DEQ Actions <i>Relevant</i> to the LUBGWAMA	Citation or Reference	Function
DEQ conducts coordination of State interagency management of groundwater.	ORS 468B.162 (1)	DEQ coordinates interagency management of ground water, as necessary, to achieve the goal of preventing groundwater contamination.
DEQ provides staff for project oversight.	ORS 468B.162 (2)	DEQ provides approximately 1.10 FTE staff for project oversight and for those activities authorized under ORS 468.165 to 468B.188
DEQ prepares a biennial report to the Legislative Assembly.	ORS 468B.162 (3)	Every two years, DEQ prepares a comprehensive groundwater protection report for legislative review.
DEQ supports EPA's federal partnership role.	ORS 468B.164	DEQ shall encourage federal agency actions that are consistent with the water policies of the State of Oregon.
DEQ has established maximum measurable levels (MMLs) for contaminants in ground water.	ORS 468B.165	DEQ shall establish maximum measurable levels (MMLs) for contaminants in ground water.
DEQ has provided educational and informational materials to promote public awareness of groundwater protection.	ORS 468B.167 (b)	Provide educational and informational materials to promote public awareness and involvement in the protection, conservation and restoration of Oregon's ground water resource.
DEQ has conducted activities as outlined under ORS 468B.167	ORS 468B.167 (c, d, e, f, g, h)	Coordinate well head protection programs, award grants, develop and maintain a centralized repository for information about ground water, etc., etc.

DEQ declared the Lower Umatilla Basin a GWMA in 1990.	ORS 468B.180	DEQ shall declare a ground water management area when Nitrate contaminants are at levels greater than 70 percent of the MMLs as a result of suspected nonpoint source activities.
DEQ has convened a LUB-GWMA committee since the early 1990's.	ORS 468B.182	DEQ shall appoint a ground water management committee
DEQ conducts oversight and facilitation of the Committee's tasks. For the past two years, DEQ has developed comprehensive meeting agendas (please see lubgwma.org) to address relevant topics such as: 1.) voluntary BMP program for irrigated agriculture, 2.) USGS groundwater model, and 3.) encourage local engagement in seeking award grants to complete groundwater protection actions as outlined in the plan.	ORS 468B.183	GWMA Committee shall evaluate, advise and analyze.
DEQ has designated a lead agency (Morrow County Soil & Water Conservation District) and DEQ has facilitated the creation of two (2) Action Plans that meets or exceeds statutory requirements to address groundwater protection. The most recent Action Plan was complete in January of 2019.	ORS 468B.184 (1)	DEQ shall designate a lead agency responsible for developing an action plan.
DEQ has a letter of agreement with ODA granting primacy for agricultural water quality practices.	ORS 468B.184 (2)	State Department of Agriculture shall be responsible for developing the portion of the action plan that addresses farming practices.
Morrow SWCD is conducting public comment period through May 08, 2020.	ORS 468B.186	Lead agency shall provide a 60- day period of public comment on the draft action plan
DEQ will conduct this action after May 08, 2020.	ORS 468B.187 (1)	Accept the final action plan or remand the plan to the lead agency for revision.
In accordance with groundwater quality data, DEQ is currently unable to repeal any of the GWMA designations.	ORS 468B.188	Repeal of declaration of ground water management area.
LUBGWMA nitrate concentrations in groundwater data has been sampled & compiled since the 1990s via bimonthly, quarterly and synoptic sampling events. DEQ conducts	ORS 468B.190	DEQ shall conduct an ongoing statewide monitoring and assessment program of the quality of the ground water resource of this state

comprehensive data analysis to identify groundwater quality trends.		
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Thank you for the continued discussion and your efforts on this important matter.

Justin



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From: GREEN Justin

Sent: Wednesday, April 29, 2020 12:13 PM

To: Martinson, Mathew <martinson.mathew@epa.gov>; 'kenknight.jeff@epa.gov' <kenknight.jeff@epa.gov>

Subject: Call Follow Up

Mathew and Jeff –

Just wanted to let you both know I have gathered some information as a follow up to our call a couple weeks ago and hope to have it to you by the end of this week, or early next week. Thanks and I hope all is well.

Justin



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